

SENATE BILL 2879

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 15; Title 50 and Title 58, relative to Veterans'
Day.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Department" means the department of labor and workforce development;

(2) "Employee" means a natural person who performs services for an employer for valuable consideration, and does not include a self-employed independent contractor;

(3) "Employer" means a person or entity that employs one (1) or more employees, and includes the state and its political subdivisions; and

(4) "Veteran" means a former member of the armed forces of the United States, or a former or current member of a reserve or Tennessee national guard unit who was called into active military service of the United States, as defined in § 58-1-102.

(b) An employer shall allow the employer's veteran employees to have the entirety of November 11, Veterans' Day, as a non-paid holiday if:

(1) The veteran employee provides the employer with at least one-month's written notice of the veteran employee's intent to have the entirety of that day as a non-paid holiday;

(2) The veteran employee provides the employer with proof of veteran status, which may include, but is not limited to, a DD Form 214 or other comparable certificate of discharge from the armed forces; and

(3) The veteran employee's absence, either alone or in combination with other veteran employee's absences, on that day will not impact public health or safety, or cause the employer significant economic or operational disruption as determined by the department by rule.

(c) This section does not prohibit an employer from allowing the employer's veteran employees to have the entirety of Veterans Day as a paid holiday.

SECTION 2. The commissioner of labor and workforce development may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.